

**Cumberland Township Board of Supervisors
Minutes of the July 23, 2013 Meeting**

The regular meeting was called to order at 7:00 p.m. by Chairperson Underwood. Present were Supervisors Shealer, Waybright and Ferranto; Manager Ben Thomas, Jr., Solicitor Sam Wiser, Zoning Officer Bill Naugle, Police Chief Don Boehs and Assistant Secretary Carol Merryman. Others present were: Richard Farr, Barry and Jean Stone, Dale Molina, Carolyn Greaney, Speros Marinos, Jim Paddock, Jim Henderson, Don Kauffman, Everett Ladd, James Delaney, Ron Garis and Beth Kanagy from The Gettysburg Times. Mr. Toddes was absent. The meeting was recorded.

Chairperson Underwood led the Pledge of Allegiance.

Mr. Ferranto made a motion to approve the Minutes of the June 6 and 20, 2013 workshop meetings and the June 25, 2013 regular meeting seconded by Mr. Shealer and carried.

Mr. Ferranto made a motion to pay the bills, in the amount of \$71,503.74 from the General Fund, \$1,450.00 from the Escrow Fund, \$1,275.10 from the Park and Rec Fund, \$39,000.00 from the State Fund and \$38,754.25 from the Capital Reserve Fund seconded by Mr. Waybright and carried.

Engineer/Plans:

Mr. Thomas reported that a request has been received from the Lutheran Seminary for release of their financial security for their Western Gateway Project and Mr. Knoebel has prepared a report dated July 17, 2013. The report recommends holding \$60,308.00 for a few outstanding items resulting in a reduction of \$254,817.00. **Mr. Shealer made a motion to approve the release of \$254,817.00 for the Lutheran Seminary's Western Gateway Project, retaining \$60,308.00 for the outstanding items on the July 17, 2013 memo seconded by Mr. Ferranto and carried.**

Mr. Thomas also reported that the Wayne Steinour Lot Addition Plan was reviewed at the workshop and the engineer for the project, Ron Garis, was present to answer any questions. Mr. Thomas also reported that there is a Non-Building Waiver that needs action. He reported that the plan proposes to remove a small portion of land (0.16 acres) from existing Lot 1 and add it to an existing Lot 2. The property is located on Waterworks Road. The comments from KPI's July 9, 2013 memo were reviewed. Mr. Garis reported that he did submit a "courtesy copy" of the plan to Gettysburg Municipal Authority. **Mr. Shealer made a motion to authorize execution of the Non-Building Waiver for the Wayne Steinour Plan seconded by Mr. Waybright and carried. Mr. Waybright made a motion to approve the Wayne Steinour Plan subject to the comments from KPI's July 9, 2013 memo, Item 5 (Deed of Consolidation) and Item 6 (existing right-of-way for the shared driveway) being subject to review and approval by Solicitor Wiser, seconded by Mr. Ferranto and carried.**

Mr. Thomas reported that the Board has three requests for extension. The first request is for Misty Ridge Recreation Lot Subdivision and Land Development Plan for an extension until October 29, 2013. **Mr. Waybright made a motion to approve the extension request for the Misty Ridge Recreation Lot Subdivision and Land Development until October 29, 2013 seconded by Mr. Shealer and carried.**

The second request is for the William H. Scott, Jr. Subdivision Plan for an extension until October 29, 2013. **Mr. Shealer made a motion seconded by Mr. Waybright and carried to approve the extension request for the William H. Scott, Jr. Final Plan until October 29, 2013.**

The third and final request is for the Judy Miller Final Plan for an extension until January 31, 2014. **Mr. Waybright made a motion to approve the extension request for the Judy Miller Final Plan until January 31, 2014 seconded by Mr. Ferranto and carried.**

Public Comment:

Speros Marinos, 912 Baltimore Pike, recommended that the Township be present at all Gettysburg Municipal Authority meetings to let them know that the Township means business. He added that they will have an average year given the slow spring and then increased visitation during the 150th Commemoration. Mr. Marinos also complimented the Cumberland Township Police Department and PA State Police for their work during the 150th and felt that this year's Bike Week went well. He added that August 5th is the Cumberland Township Historical Society's third anniversary and they are finding out that there are other Cumberland Townships in PA and in Canada. Mr. Marinos stated that he is still concerned about zoning.

Police Report:

Police Chief Don Boehs presented a written and oral report of police activities for the month of June including; 438 complaints, 105 traffic stops, 85 combined arrests, 17 traffic accidents, 12 targeted enforcements and 12,784 patrol miles. He added that they assisted other agencies 11 times and they were assisted twice. Chair Underwood thanked the Police Department for going above and beyond their normal duties during the 150th Commemoration.

New Business:

At approximately, 7:30 p.m., Mr. Thomas reported that two bids were opened this morning at 10:00 a.m. for a micro-surfacing project on a portion of Herr's Ridge Road between SR 0030 and Mummasburg Road. He stated that the first bid was received from Asphalt Maintenance Solutions, LLC from Center Valley, PA, for 200 tons +/- Microsurfacing Type A double application, in the amount of \$186.00 per ton, for a total project cost of \$37,200.00. The second bid was received from Stewart and Tate, Inc., York, PA, for 200 tons +/- Microsurfacing Type A double application, in the amount of \$167.50 per ton, for a total project cost of \$33,500.00. Mr. Thomas added that the bids were reviewed by Solicitor Wisner and it appears that Stewart and Tate is the lowest bidder and is a responsible bidder. **Mr. Waybright made a motion to award the bid to Stewart and Tate, Inc. seconded by Mr. Shealer and carried.**

Active Business:

Chair Underwood asked for discussion on the information that they received from resident Cole Hoffen requesting that the Board enact an Open Burning Ordinance. Mr. Shealer suggested that the Township continue using the enforcement procedures that are currently in place and the rest of the Board agreed. Chair Underwood asked Mr. Naugle to contact Ms. Hoffen and reiterate that she is to call him when she has a complaint.

Mr. Richard Farr, Executive Director of Rabbit Transit, was present to speak to the Board about the request for funding for the continuation of Freedom Transit. Mr. Farr explained that Freedom Transit was launched as a demonstration project and the first three years was funded by state and federal grants and Adams County paid the local match. The project is now moving to traditional transit funding and they are requesting that the local match be split by the four municipalities that it serves, in the amount of \$4,000.00 each, paid annually with a possible 2% annual increase. He handed out information for the Board regarding the number of riders and where the transportation actually goes with much of the ridership being in Cumberland Township. He added that they feel that it is sustainable, is continuing to grow and they are meeting the PennDOT standards. After much discussion, the Board agreed to consider this request during their 2014 budget process.

Mr. Thomas reported that the Board received an extensive bid package for the Adams County Waste Contract and it was reviewed by Solicitor Kelso and he recommended some changes. **Mr. Shealer made a motion to approve the Adams County "Waste Collection Contract Bid Package" seconded by Mr. Waybright and**

carried.

Mr. Ferranto made a motion seconded by Mr. Shealer and carried to table the Shentel Tower Group agreement for communications tower replacement.

Chair Underwood read Resolution 2013-06 – RESOLUTION FOR HEARING NOTICE REQUIREMENTS BY THE CUMBERLAND TOWNSHIP BOARD OF SUPERVISORS.

Mrs. Jean Stone, 1745 Mummasburg Road, asked the Board to consider 30-day notice that was originally requested, rather than the proposed 15-day notice, so the citizens have time to prepare.

Mr. Everett Ladd, 215 Ridgewood Drive; Mr. Don Kauffman, 56 Bittern Drive and Mr. Jim Paddock, 1777 Fairfield Road all endorsed Mrs. Stone's request for 30-day notice for citizens.

Mr. Barry Stone, 1745 Mummasburg Road, expressed his concern that the Resolution remained unchanged after the Board heard all of the comments from the citizens.

Mr. Thomas explained how the time factor does not allow for a 30-day notice and if the time factor is not met there could be a deemed approval. **Mr. Ferranto made a motion to amend the Resolution from a 15-day notice to 20-day notice. The motion died for lack of a second.** Mr. Shealer stated that he was not prepared to make a decision on the 20-day notice and requested more information.

Mr. Shealer made a motion to adopt Resolution 2013-06 - RESOLUTION FOR HEARING NOTICE REQUIREMENTS BY THE CUMBERLAND TOWNSHIP BOARD OF SUPERVISORS seconded by Mr. Waybright and carried. Mr. Ferranto voted nay. Mr. Thomas stated that staff will look at the 20-day notice to see if that would be possible and report back to the Board. Mr. Shealer requested that a timeline be put on the bulletin board.

Chair Underwood reported that the Board has received an application to open the Agricultural Security Area from Brandon and Waverly Keller, 1714 Mummasburg Road. Mr. Thomas explained the process of the application going to the Township and County planning commissions and Agricultural Security Area Advisory Committee. He added that a public hearing is also held.

Mr. Naugle reported that the Township has received a request from the Congressional Medal of Honor Convention to lower the required liability insurance for their special event from \$5 million to \$3 million. **Mr. Ferranto made a motion to reduce the required liability insurance for the Congressional Medal of Honor Convention from \$5 million to \$3 million seconded by Mr. Shealer and carried.**

Mr. Thomas reported that the M & L Properties Land Development Plan was approved by the Board on February 7, 2013, but there were conditions that needed to be addressed and in doing so, the 90 days to record that plan expired and the plan now needs to be re-approved. **Mr. Shealer made a motion to re-approve the M & L Properties, LLC Confederate Woods Veterinarian Hospital Subdivision and Land Development Plan seconded by Mr. Ferranto and carried.**

Solicitor:

Solicitor Wisner requested a brief Executive Session to discuss quasi-judicial deliberations on a pending conditional use request.

Committee Reports and comments from Board Members:

Public Safety: The Board is requesting that representatives from our local fire companies attend the September 5, 2013 workshop.

Manager:

Mr. Thomas reported that the Adams County Conservation District West Nile Virus Program will be conducting ultra-low volume mosquito control operations in the Township on Thursday, July 25th to begin around sunset in the area of Pin Oak Lane off of Boyds School Road.

The Zoning Officer's report was reviewed.

There being no further business, the meeting was adjourned at 8:15 p.m. for a brief Executive Session with no report to follow.

Carol A. Merryman, Asst. Secretary

_____)
_____)
_____) Supervisors
_____)
_____)